

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN Y. TANG,

Plaintiff,

v.

JIANJUN QIAO, et al.,

Defendants.

23-CV-8760 (DEH)

ORDER

DALE E. HO, United States District Judge:

On October 5, 2023, Plaintiff filed a Complaint against fourteen named Defendants and one Jane Doe Defendant. *See* Dkt. No. 1. Six named Defendants—HSBC Bank USA, N.A., UBS Bank USA, U.S. Bank N.A., Geng & Associates P.C., Ting Geng, and Sylvia P. Tsai—have appeared. Four additional named Defendants—HSBC Canada, HSBC Holdings PLC, UBS AG Singapore Branch, and UBS Group AG—are represented by counsel for HSBC Bank USA, N.A. and UBS Bank USA, but have not appeared nor been served. *See* Dkt. No. 78. In a joint letter, counsel for HSBC Bank USA and UBS Bank USA state that the putative Defendant HSBC Hong Kong does not exist. *See id.* The remaining three named Defendants—Jianjun Qiao, Yuxin Qiao, and Shilan Zhao—were served as of early January 2024, all at the same address in Newcastle, Washington. *See* Dkt. Nos. 72-74. None of these Defendants have appeared, but Zhao telephoned Chambers on January 17, 2024, indicating she has actual notice of this lawsuit. *See* Dkt. No. 77. On February 1, 2024, the parties filed a joint status letter regarding briefing of anticipated motions to dismiss and service. *See* Dkt. No. 78.

It is hereby **ORDERED** that Plaintiff shall file a letter by **February 14, 2024**, regarding service. In a letter dated January 5, 2024, Plaintiff stated that he had retained a process server to effectuate service on the five foreign Defendants and that service may take two to six months.

See Dkt. No. 75. Plaintiff shall provide any update regarding service of these Defendants and shall state whether he voluntarily dismisses his claims against HSBC Hong Kong.

It is further **ORDERED** that all Defendants who have been served shall answer, move, or otherwise respond to the First Amended Complaint by **March 8, 2024**. If Defendants move to dismiss, Plaintiff shall file his opposition by **April 19, 2024**, and any replies shall be filed by **May 3, 2024**. The deadline for the Defendants who have not been served remains adjourned, *sine die*, pending completion of service.

It is further **ORDERED** that, because the deadline to answer, move, or otherwise respond to the Complaint has been adjourned, Defendants Jianjun Qiao, Yuxin Qiao, and Shilan Zhao are not yet in default. Plaintiff shall serve a copy of this order on each of those Defendants via Federal Express and file proof of service on ECF by **February 14, 2024**. Those Defendants are encouraged to retain counsel promptly, so as to avoid default upon expiration of the deadline to respond to the First Amended Complaint set forth above.

SO ORDERED.

Dated: February 7, 2024
New York, New York



DALE E. HO
United States District Judge